

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
PMXP0074USA

First named inventor: Min-Chen Hsu

Application No.: 09/330,034

Art Unit: 2833

Filed: 06/11/1999

Examiner: VU, HIEN D

Title: SUPPORTING APPARATUS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1,500 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Response to the Office Action mailed on 02/04/2000 (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

12/19/2005 SLUANG1 00000004 503105 09330034

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Winston Hsu

Signature

DEC 13 2005

Date

Winston Hsu

41,526

Typed or printed name

Registration Number, if applicable

P.O. BOX 506, Merrifield, VA 22116, USA

302-729-1562

Address

Telephone Number

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☐ Other: _____**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.DEC 13 2005
Date*Alison Wu*

Signature

Alison Wu

Typed or printed name of person signing certificate



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Min-Chen Hsu; Chang-Kun Lu
Examiner: VU, HIEN D
Filing Date: 06/11/1999 Art Unit: 2833
App. No.: 09/330,034 Docket No.: PMXP0074USA

Title: SUPPORTING APPARATUS

To: Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Subject: Petition to Revive Abandoned Application Under the Provisions of 37
CFR §1.137(b)

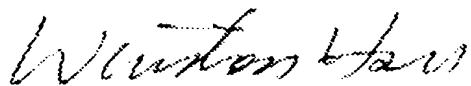
Dear Sir,

This is a petition under 37 CFR 1.137(b) to revive the above-identified application, which had become abandoned on 11/03/2000 for failure to timely file a proper reply to the Office action mailed on 02/04/2000.

The entire delay in filing the required reply to the Office letter of 02/04/2000 was unintentional. An Office action mailed on 02/04/2000 was never received by the applicant, consequently the applicant didn't know how to response until a telephonic interview conducted with the examiner regarding the failure to receive a Filing Receipt on 09/10/2004. The applicant filed a Petition to withdraw the holding of abandonment of the above-identified application on 10/26/2004 but this petition was dismissed on 10/21/2005. According to the Petition decision, the applicant didn't receive the Office action mailed on 02/04/2000 because the applicant had moved from 3F, No. 50, Lane 46, Min Shen Rd., Taipei Hsien, Taiwan to 5F, No. 389, Fu-Ho Rd., Yungho City, Taipei Hsien, 234 Taiwan, R.O.C. without promptly informing the USPTO.

Due to the above, a petition under 37 CFR 1.137(b) to revive the above-identified application is submitted and the petition fee \$1,500 required by 37 CFR 1.17(m) is enclosed. The applicant hereby request that the above-identified application be revived because the entire delay in timely filing a proper reply to the Office action mailed on 02/04/2000 was unintentional.

Respectfully submitted,



Date: DEC 13 2005

Winston Hsu, Patent Agent No. 41,526

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Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 13 hours behind the Taiwan time, i.e. 9 AM in D.C. = 10 PM in Taiwan.)